

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA		
GP INDUSTRIES, INC., a Nebraska corporation,)	
)	
Plaintiff,)	8:06CV50
)	
vs.)	ORDER
)	
ERAN INDUSTRIES, INC., a Nebraska corporation, and JAMES E. BACHMAN,)	
)	
Defendants.)	
)	
ERAN INDUSTRIES, INC., a Nebraska corporation,)	
)	
Plaintiff,)	8:06CV51
)	
vs.)	ORDER
)	
GP INDUSTRIES, LLC., a Nebraska Limited Liability Company, et al.,)	
)	
Defendants.)	

required by the rule.” 9 Charles A. Wright & Arthur R. Miller, ***Federal Practice & Procedure***: Civil 2d § 2383 (1995). Whether to grant a Rule 42(a) motion to consolidate is within the sound discretion of the court. ***United States Env'tl. Prot. Agency v. Green Forest***, 921 F.2d 1394, 1402-03 (8th Cir. 1990). The court must weigh the savings of time and effort that would result from consolidation against any inconvenience, expense, or delay that it might cause. Wright & Miller, ***supra***, § 2383. “[D]istrict courts generally take a favorable view of consolidation” ***Id.*** Furthermore, “[a]ctions involving the same parties are apt candidates for consolidation.” ***Id.*** § 2384. However, under Fed. R. Civ. P. 42(b), consolidation is considered inappropriate “if it leads to inefficiency, inconvenience, or unfair prejudice to a party.” ***EEOC v. HBE Corp.***, 135 F.3d 543, 551 (8th Cir. 1998).

The court finds that Case No. 8:06CV50 presents common issues of law and fact with Case No. 8:06CV51. Furthermore, consolidation of these matters will promote judicial economy. The same parties and claims are involved in both actions. Thus, the court believes consolidation will not lead to inconvenience, inefficiency, or unfair prejudice. Therefore, pursuant to Fed. R. Civ. P. 42(a), *GP Industries, Inc. v. Eran Industries, Inc. et al.*, 8:06CV50 and *Eran Industries, Inc. v. GP Industries, LLC, et al.*, 8:06CV51 will be consolidated for all purposes. Upon consideration,

IT IS ORDERED:

1. GPI's motion to consolidate (Filing No. 17 in Case No. 8:06CV50) is granted.
2. Case No. 8:06CV50 and Case No. 8:06CV51 are hereby consolidated for all purposes.
3. Hereafter, the parties shall use the caption above, however documents shall only be filed in case *GP Industries, Inc. v. Eran Industries, Inc. et al.*, 8:06CV50.

DATED this 30th day of March, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge